

**VERSION WITH MARKINGS TO SHOW CHANGES MADE:**

**IN THE CLAIMS:**

**Cancel** claims 1, 11 and 12 without prejudice to the reentry of the same subject matter at any later time.

**Amend** the following claims:

9. (Amended) ~~The A light element of claim 1,~~ comprising an energy conduit; and a translucent surface so formed as to direct only radiation onto the energy conduit that impinges directly on the translucent surface, said translucent surface tracking the sun uniaxially or biaxially, wherein the energy conduit is disposed between the translucent surface and an additional translucent surface.
2. (Amended) The light element of claim 4 9, wherein the translucent surface is an element selected from the group consisting of a Fresnel lens, a holographic lens and a refractive optical element.
3. (Amended) The light element of claim 4 9, wherein the energy conduit includes a solar cell.
4. (Amended) The light element of claim 4 9, wherein the energy conduit includes a fluid line.

5. (Amended) The light element of claim 4 9, wherein the energy conduit includes a light guide.
8. (Amended) The light element of claim 4 9, wherein the light element is located behind a translucent protective surface.
10. (Amended) ~~The A light element of claim 1, including~~ comprising an energy conduit; and a plurality of translucent surfaces for demarcating a living space, said translucent surfaces directing only radiation onto the energy conduit that impinges directly on the translucent surfaces, said translucent surfaces tracking the sun uniaxially or biaxially.

**Add** the following claims:

15. (New) The light element of claim 10, wherein the translucent surface are each an element selected from the group consisting of a Fresnel lens, a holographic lens and a refractive optical element.
16. (New) The light element of claim 10, wherein the energy conduit includes a solar cell.
17. (New) The light element of claim 10, wherein the energy conduit includes a fluid line.

18. (New) The light element of claim 10, wherein the energy conduit includes a light guide.
19. (New) The light element of claim 18, wherein the light guide is flexible.
20. (New) The light element of claim 18, wherein the light guide has an entry end for receiving the portion of the radiation directed onto the energy conduit and tracking a movement of a focal plane, and an exit end which is stationary and aimed at the energy conduit.
21. (New) The light element of claim 10, wherein the light element is located behind a translucent protective surface.

## REMARKS

The last Office Action of April 11, 2002 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-15 are pending in the application. Claims 2-5 and 8-10 have been amended. Claims 1, 11, 12 have been canceled. Claims 15-21 have been added. A total of 18 claims is now on file. Enclosed is also a marked-up version of the changes made to the specification and claims by the current amendment. The enclosed page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

Claim 11 stands rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Pat. No. 4,280,853 ("Palazzetti et al").

Claim 11 stands rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over German Pat. No. 19614787 A1 ("Ebner").

Claim 1-5, 8, 11 and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Pat. No. 4,765,726 ("Johnson").

Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson.

It is noted with appreciation that claims 13 and 14 are allowed. It is also noted with appreciation that claims 9 and 10 are indicated allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Applicant has replaced claim 1 in favor of new independent claim 9, as suggested by the Examiner, who indicated that originally filed claim 9 would be allowable if rewritten in independent form. It is therefore applicant's belief that claim 9 has not been narrowed to trigger prosecution history estoppel. Claims 2-5 and 8 have been amended to make them dependent on claim 9.

In addition, applicant has rewritten claim 10 in independent form, as suggested by the Examiner, who indicated that originally filed claim 10 would be allowable if rewritten in independent form. It is therefore applicant's belief that claim 10 has not been narrowed to trigger prosecution history estoppel. Claims 15 to 21 have been added and correspond to the subject matter of claims 2 to 8, except for their dependency.

For the reasons set forth above, it is applicant's contention that all claims on file are now in condition for allowance.

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the newly submitted claims. It is thus felt that no specific discussion thereof is necessary.

Withdrawal of the rejection under 35 U.S.C. §§102(b) and 103(a) and allowance of claims 2-10 and 13-21 are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

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